REMARKS

This Amendment is submitted in response to the Office Action dated September 9, 2008. No fee is due in connection with this Amendment. However, the Commissioner is authorized to charge any fees which may be required, or to credit any overpayment to Deposit Account No. 02-1818. If such a withdrawal is made, please indicate the Attorney Docket No. 112857-510 on the account statement.

Claims 15-16 and 18-30 are pending in this application. Claims 1-14, 16, 17 and 19 have been cancelled without prejudice or disclaimer and Claims 25-28 and 30 were withdrawn from consideration due to a restriction requirement. In the Office Action, Claims 15-16, 18-24 and 29 are rejected under 35 U.S.C. §103. Claims 15, 20 and 23 are amended herein. In view of the amendments and/or for at least the reasons set forth below, Applicants respectfully submit that the rejections should be withdrawn.

In the Office Action, Claims 15-16 and 18-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,961,952 B1 to Takamori et al. ("*Takamori*") in view of JP 08-031133 A to Nishikata ("*Nishikata*"). Applicants respectfully submit that, even if combinable, the cited references fail to disclose or suggest each and every element of currently amended independent Claims 15 and 23 and Claims 16, 18, 20-22 and 24 that depend therefrom for at least the reasons set forth below.

Currently amended independent Claim 15 recites, in part, a main cartridge body unit including an upper cartridge portion and a lower cartridge portion, the main cartridge body unit having said disc rotatably housed therein and including: a recording and/or reproducing aperture formed into the lower cartridge portion that exposes a portion of said disc to outside across inner and outer rims of said disc, the recording and/or reproducing aperture defining a first side of the lower cartridge portion and a second side of the lower cartridge portion, and an entrance part for a head unit of a recording and/or reproducing apparatus, said entrance part being a recess which is formed in the first side of the lower cartridge portion and extending to said recording and/or reproducing aperture, for entrance of at least a portion of said head unit below an outer surface of the lower cartridge portion, wherein a lateral surface of said entrance part for said head unit is an inclined surface for inhibiting abutment against said head part, and wherein a depth of said

entrance part is less than a thickness of the first side of the lower cartridge portion so as to not expose another portion of the disc located adjacent to the recess to the outside.

Currently amended independent Claim 23 recites, in part, "a main cartridge body unit including an upper cartridge portion and a lower cartridge portion, the main cartridge body unit having said disc rotatably housed therein and including a recording and/or reproducing aperture formed into the lower cartridge portion that exposes a portion of said disc to outside across inner and outer rims of said disc, the recording and/or reproducing aperture defining a first side of the lower cartridge portion and a second side of the lower cartridge portion; a cartridge loading unit for loading a disc cartridge thereon, said disc cartridge including a recess formed in the first side of the lower cartridge portion and extending to said recording and/or reproducing aperture; and recording and/or reproducing means for recording and/or reproducing the information for the disc housed in said disc cartridge, wherein when said recording and/or reproducing means is introduced via said recording and/or reproducing aperture for recording and/or reproducing the information for said disc, a portion of said recording and/or reproducing means is introduced into said recess and below an outer surface of the lower cartridge portion, wherein a lateral surface of said recess is an inclined surface for inhibiting abutment against the portion of said recording and/or reproducing means, and wherein a depth of said recess is less than a thickness of the first side of the lower cartridge portion so as to not expose another portion of the disc located adjacent to the recess to the outside." The amendments do not add new matter. The amendments are supported in the Specification at, for example, Figs. 4, 5 and 7; paragraphs [0020], [0033]; [0036]; [0070]; [0085]-[0088]; [0092]-[0093]; and [0095].

In one non-limiting example of the presently claimed invention, the area of the lower cartridge half 4, traversed by the shutter member 16, is formed with a recessed shutter slide part 19, as also seen below with respect to Fig. 4. (See, Specification, paragraph [0085]). This shutter slide part 19 is formed to a depth D_1 approximately equal to a thickness D_2 of the shutter member 16 of the shutter unit 15, as shown in FIG. 7, in order that the shutter member 16 is not protruded from the surface of the main cartridge body unit 5, but is extended on the surface of the main cartridge body unit 5, for flattening out the surface of the main cartridge body unit 5. (See, Specification, paragraph [0085]).

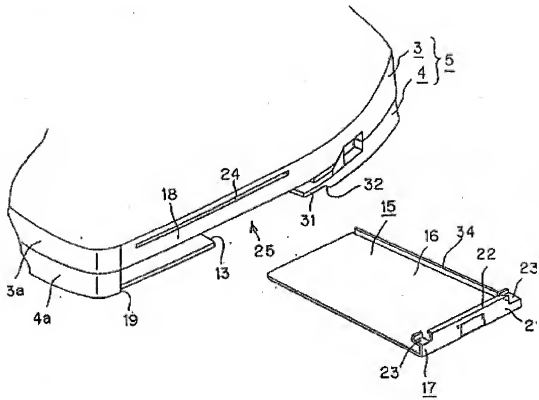
3
4
5
24
18
32
31
15
16
34
22
23
25
13
3a
4a
19
2
23
17

FIG.4

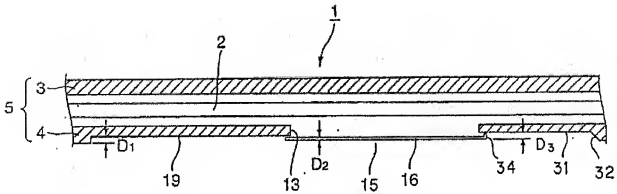
1
2
3
5
4
D1
19
13
D2
15
16
34
D3
31
32

FIG.7

A recess 31 is formed in the surface of the lower cartridge half 4, on which slides the shutter unit 15 of the main cartridge body unit 5, so that the recess continues to one side of the aperture for the head part 13. (See, Specification, paragraph [0086]). This recess 31 operates as an entrance for at least a portion of the optical pickup forming the head part of the recording and/or reproducing means provided to the recording and/or reproducing apparatus. (See, Specification, paragraph [0086]). This recess is formed on the opposite side to the shutter slide unit 19 on both sides of the aperture for the head part 13 and extends substantially the whole length of one side of the aperture for the head part 13, as shown in FIGS. 3 and 7. (See, Specification, paragraph [0086]). The recess 31, into which intrudes the head part, is formed to a depth D_3 larger than the depth D_1 of the shutter slide unit 19, for increasing the amount of intrusion of the optical pickup forming the head part of the recording and/or reproducing means provided on the recording and/or reproducing apparatus, as will be explained subsequently. (See, Specification, paragraph [0087]). The lateral surface of the recess 31 continuing to the aperture for the head part 13 is formed as an inclined surface section 32, as shown in FIG. 5. (See, Specification, paragraph [0088]). This inclined surface section 32 serves for avoiding abutment against a portion of the optical pickup intruding into the recess 31, for example, a portion of the optical block forming the optical pickup. (See, Specification, paragraph [0088]). When the disc cartridge 1 of the presently claimed invention, constructed as described in the example above, is loaded on the recording and/or reproducing apparatus, a portion of the optical pickup 51, forming a head part for reproducing the information signals, recorded on the optical disc 2, may be introduced into the recess 31, as shown, for example, in FIG. 8. (See, Specification, paragraph [0092]).

An objective lens 53 of the head part for scanning the signal recording area of the disk may intrude via the aperture for the head part 13 into the inside of the main cartridge body unit 5, so that part of the optical block 52 may intrude into the recess 31 of the disc cartridge 1, as shown in FIG. 8. (See, Specification, paragraph [0095]). The result is that the optical pickup 51 in its entirety may be caused to approach to the disc cartridge 1, loaded on the cartridge loading unit, and hence the apparatus in its entirety may be reduced in thickness. (See, Specification, paragraph [0095]). Accordingly, since the entrance aperture for the head part, provided to the main cartridge body unit, is formed as a recess deeper in depth than the slide part along which slides the shutter unit, a larger proportion of the head part may intrude into the inside of the main

cartridge body unit, with the consequence that the recording and/or reproducing apparatus may further be reduced in size. (See, Specification, paragraph [0033]). Additionally, an optical pickup having a high NA (numerical aperture) objective lens may be used as a head part, thus achieving a high recording density of the optical disc. (See, Specification, paragraph [0036]). However, in contrast, the cited references fail to disclose or suggest every element of the presently amended independent Claims 15 and 23.

The Examiner relies primarily on *Takamori* for allegedly disclosing several features of the claimed invention. However, nowhere does *Takamori* disclose or suggest an entrance part being a recess which is formed in the first side of a lower cartridge portion and extending to said recording and/or reproducing aperture, for entrance of at least a portion of said head unit below an outer surface of the lower cartridge portion, wherein a lateral surface of said entrance part for said head unit is an inclined surface for inhibiting abutment against said head part, and wherein a depth of said entrance part is less than a thickness of the first side of the lower cartridge portion so as to not expose another portion of the disc located adjacent to the recess to the outside, as recited in the amended claims.

Moreover, the other cited references also fail to disclose or suggest these features. In this regards, the Examiner only relies on *Nishikata* for the disclosure of an aperture with an inclined surface to prevent abutment against an optical pickup. (See, Office Action, page 6, lines 14-20). Furthermore, *Nishikata* is entirely directed to a disc cartridge that prevents damaging an optical lens. (See, *Nishikata*, Abstract).

Moreover, In the Office Action, Claims 23-24 and 29 are rejected under 35 U.S.C. §103(a) as being unpatentable over JP 2000-021113 A to Miyake et al. ("*Miyake*") in view of *Takamori*. Applicants respectfully submit that, even if combinable, the cited references fail to disclose or suggest each and every element of currently amended independent Claim 23 and Claims 24 and 29 that depend therefrom for at least the reasons set forth below. For example, the cited references fail to disclose or suggest an entrance part being a recess which is formed in the first side of a lower cartridge portion and extending to said recording and/or reproducing aperture, for entrance of at least a portion of said head unit below an outer surface of the lower cartridge portion, wherein a lateral surface of said entrance part for said head unit is an inclined surface for inhibiting abutment against said head part, and wherein a depth of said entrance part is less than a thickness of the first side of the lower cartridge portion so as to not expose another

portion of the disc located adjacent to the recess to the outside, as required, in part, by independent Claim 23. As discussed previously, *Takamori* and *Nishikata* fail to disclose or suggest these claimed elements. *Miyake* also fails to disclose or suggest these elements.

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of same.

Respectfully submitted,

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Dated: December 9, 2008